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SUBJECT: ELECTIONS TIMELINE URGENT; DONOR GROUP TO EXPRESS CONCERN
TO SRSG, NCP, SPLM

11. (SBU) Summary: Elections donor group Ambassadors met November 22 in Khartoum to discuss strategies to keep the elections timetable outlined in the Comprehensive Peace Agreement (CPA) on track. All agreed there is an increasingly narrow window and the NCP and SPLM must resolve their differences and pass an elections law by late December in order for a census to proceed in March 2008. Otherwise the census will not be possible before the 2008 rainy season, possibly delaying the 2009 elections, which must occur between November 2008 and March 2009 to avoid pushing the elections themselves into the 2009 rainy season, which could disadvantage the South. Donor group Ambassadors agreed to meet jointly with SRSG Qazi as soon as possible to ensure UNMIS is prepared for its role in the elections; to press for greater public emphasis on the urgent timeline for census and elections in public statement; and to press the NCP and SPLM to resolve their differences and stay the course on elections. Post recommends U.S. official also express publicly the need for a timely census and elections, drawing attention to the urgent timeline. End summary.

12. (SBU) The European Commission (EC) chaired a meeting of Elections Donor Group (EDG) Ambassadors November 22 in Khartoum to review preparations for the upcoming census and elections and to agree on the agenda for a meeting with SRSG Qazi. EC elections officer Lars Tummers described the critically short timeline to ensure that the census occurs before the 2008 rainy season. Lars reviewed the current state of play:

--The Sudanese parliament has not passed the elections law; it is 20 months late per the timeline laid out in the CPA.

--Therefore there is no elections commission in place with which to coordinate and which is needed to guide the programs of the UN and other donors.

--The next rainy season will begin in April 2008, which will seriously complicate the census in the South.

--If the census does not occur by March, the elections scheduled for the following year may be delayed due to lack of required information from the census on proportionally-allocated seats for the parliamentary elections.

--The Sudanese Parliament is in session until the end of December and will not reconvene until April, after the rains have started.

--The current political impasse between the NCP and SPLM has blocked all progress on the draft elections law, which is now before the review commission, but there also remains a disagreement between the parties about percentages of direct vs. proportional seats in the future parliament.

--For the census and elections to stay on track, the NCP and SPLM must therefore resolve their differences and pass an elections law

before the end of December.

13. (SBU) UN Chief Elections Officer Ray Kennedy said that the elections schedule in 2009 could be compressed, so that even if the parties do not resolve their current differences in time to pass an elections law allowing the census to move forward, it is theoretically possible to stay on schedule. However he said that with a compressed schedule the chances of a well organized, transparent, free and fair election would be reduced. Kennedy also noted that an election is possible without a census, though it is required by the CPA and is needed to sort out proportionally allocate seats in the parliament. Kennedy assured donors that his office will move forward with planning for the elections despite the fact that the implementing legislation is not in place. The UN Elections Office (within UNMIS) will prepare its programming and procurement plan and will begin staffing up in anticipation that an on-time election will still be possible. The UN will also continue to remind the parties of urgency of CPA implementation and timely elections. (Note: Kennedy is a U.S. citizen who most recently helped manage the elections in Afghanistan.)

14. (SBU) Ambassadors expressed the urgency of the international community not making any public statements about the difficulty of organizing a timely census and election, given the current state of play between the GNU partners. Rather, the international community must press for rapid resolution of the crisis and put a greater spotlight on the urgency of the census and elections timeline. The Ambassadors agreed to meet jointly with SRSG Qazi as soon as possible to review UN preparations and urge that the electoral process be given a higher profile in UN statements and messages to the parties. Ambassadors also agreed to deliver this same message to the parties, in their own bilateral contacts with the NCP and SPLM. The meeting with SRSG Qazi will include the U.S., UK, Norwegian, Dutch, and Italian Ambassadors. (Note: There was some

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discussion among EC Ambassadors about which ones would be included, whether the Naivasha representatives which included Italy, or the IGAD representatives which included France.)

15. (SBU) Comment: Sending the right messages to the UN and the parties (NCP and SPLM) is critical, to press for an on-time census and elections. If elections are delayed, the legitimacy of the GNU and the credibility of the parties will be brought into question, and tensions will mount further between the parties. Of course the reality is that the current political impasse between the NCP and the SPLM has stopped all progress on implementing legislation for the census and the elections. It is also true that the two parties have often expressed less enthusiasm for elections than the international community. However the international community must continue to press the parties toward timely elections, and not allow Abyei to block CPA progress, nor allow Darfur to distract from the even more critical implementation of the CPA - in which the 2009 elections play the central role. Though the UN and the U.S. Administration have urged "CPA implementation" publicly, a greater focus in our public statements on the increasingly urgent timeline for census and elections is required. End comment.

16. (U) Tripoli minimize considered.

FERNANDEZ